ABYSSINIA.

First Consequences of Napier's Victory.

THE CHIEFS IN ARMS.

Civil War and Widespread Desolation.

The Last Acts and Bloody Deeds of Theodorus.

By way of England we have the following special correspondence from Abyssinia, dated to the 30th of April, describing the sad condition of the country resulting from a general civil war precipitated by Napler's victory and the death of Theodorus.

The Territorial Condition, Social and Politionl-Theodorus' Reign and Its Fruits-The Rising of the Chiefs-Civil War-Imperial Executions and Bloody Scenes-The British

TECASSE RIVER, Province of Wadela, Abyssinia, and The RETURN HOME, April 30, 1868. The days of the great Theodorus and his reign of rror are at an end, but confusion and dire anarchy are substituted instead. Whatever good results the English have reaped from their expedition to this st unhappy country, most disastrous does it prove to the nations of Ethiopia. All seem gathered to gether to war upon each other. Every house is divided against itself. Princes hitherto silent from compulsion have raised their standards of rebellion against their acknowledged and legitimate sovereigns. Vast armies, collected from the most remote parts of this vast empire, rally around the lately im-Gobazye and his barbarous legions. The King of Shoa is in a quandary. Kassai, is perplexed, and Walkait, of the Woolo Gallas, is obliged to lower her lofty crest to her "fair" rival, Musterat. Gobazye and his ubiquitous General Dajiriz Mushesha only one short week ago were in the full zenith of their power, having when, lo! a new actor appeared on the stage in the person of a late captive chief, named Ali Furrus, who appears to be an object of terror and dislike, or suspicion, to the victorious Mushesha, who pursued him as far as the Zedjon Galla country, determined to capture him or die in the attempt. When driven to bay Ali Furrus, finding himself surrounded by his former subjects of the Zedjon Galla, pleads for pro-tection, which is instantly granted by those who have not forgotten former favors, and with a bold heel and faces his dreaded enemy. Mushesha.

Four days ago the battle took place and victory de clared for All Furrus. At first sight of their bold captain of former days the men of Wadela, who formed the army of Mushesha, deserted him, and reversing their spears charged at full gallop upon the ranks of Dujoz All, laughing and shouting with joy, saying, "Hold on, bold Dujoz; we are friends and ntrymen of your province of Wadela. As the horse returns to his manger, the dog to his master's kennel, or the soldier to his general, so we have come to serve our loved master and friend, Ali Purrus." With shouts of defiance they returned upon Mushesha's dismayed army, who, having not recovered from the shock of surprise which this lesale desertion created, were easily defeated will do when he hears these ominous tidings it is almost impossible to state, but he will doubtiess commit some cruel extravagance, as it is said upon good authority that he has imprisoned all the legitimate chiefs of Abyssinia to prevent endless wars, Gobazye and Kassai exted but poor wisdom when they aided the English in their invasion of his country; for now that the King is dead and all the princes and chiefs released, their own thrones are thus rendered insecure. Mus that fortress, with all her force, amounting to about twelve thousand wild Galla horsemen. Two other is who have been released have fled to Gojam and Damot, with the hope of establishing a claim to some portion of the now dismembered empire. Menclek's brother has betaken himself secretly to Shoa, with the evident intent of sowing discord among his relative's subjects and raise an army to establish his claim to the throne; and thus the condition of Abyssinia is even worse than it was when Theodorus ravaged the whole country. It has relaxed by the formulation of the composed of the composed of the conditions of the composed of the com

patey provinces, continually at war one with another. There is no claimant at present in Abysinia for THE IMPRIAL CROWN
who professes descent from Solomon—by Queen of Sheba—though there will be doubtless before long. Menelek, King of Shoa, according to the priests and sages of Abysshia, is the only one living who has a right to the imperial aceptre, as he traces his pedigree to the abysshia, is the only one living who has a right to the imperial aceptre, as he traces his pedigree to the abysshia and frail queen who went of the content with his "seven hundred wire, princesses, and three hundred concubiness," became enamored of Sheba's sovereign, and to show how much he was flattered by the visit of so great a queen gave unto her all that her heart could desire, even "whatsoever she asked"; "so she turned and went to her own country, she and her servants"; and the Abyssinians look with great respect upon Menelek now, considering him as the only living lineal descendant of Solomon by the Queen of Sheba. But Menelek, though brave as a lion in battle, prefers his own country of Shea to the trouble-some sceptre of royalty over all abyssinia.

It requires no great foresight and penetration to perceive the approaching fate of heir country and its ib make the properties. The fate head, though a tyrat calculation of the properties o

coast of Africa, but to the still seater one that the individuals thus sold and expatriated are Christians, and are, moreover, carried into Arabia and Egypt, where they inevitably lose at once their liberty and their relation.

A great many interesting facts have been gathered from the late captives

ONCERNING THEODORY.

He was a most ardent Christian, and knew the Scriptures better than the Parishs and Mollucks, or even the Abmmm. Whatever he undertook he endeavored to uphold by a quotation from Holy Writ. The massacre of the native prisoners which took place two days before the battle of Fallah was supported by copious extracts. Before the execution took place he called his favorite chiefs together into the palace and informed them that the Feringhees were coming, and possibly they might be bealeged, and therefore it was incumbent upon him to provide for the welfare of his brave soldiers. There were several prisoners in Magdala; incorrigibly bad ones—who had mocked at him and refused wise counsels: would it not be better to put away those who eat the bread of idleness, eating the sustenance of the garrison, thereby destroying what chance they had of maintaining a slege for any length of time? The chiefs thus apostrophized agreed unanimously that the Negashi should do what seemed good in his own eyes. His words were wisdom. Satisfied that he had gained the will of his principal men he ordered that they should be brought before the imprisoned Ferringhees' quarters with their chains on. After the chiefs left him to do his bidding he dressed himself in his state robes and donned the imperial crown preparatory to visiting the Europeans. Having done so he rode on his white mule down to Salingine where he found the Europeans and native captives drawn up in two parallel lines, surrounded by his soldiers, armed to the teeth. With proudest mien he rode up to where the prisoners stood with dreadful anxiety manifest in each countenance. Two chiefs hastened to lay hold of the stirrups as he prepared to dismount, and a deep silence reigned around—"such a silence," to use the captive's words, "as to make the beating of our hearts audible. My heart was in my throat, almost causing strangulation; my pulse beat at railway speed; I felt my knees tremb

were worse than the shocking reality I witnessed afterwards."

After dismounting the King walked backwards up and down the line eyeing us sternly, and a sort of barbaric majesty pervaded every motion. Seemingly satisfied with his inspection he strode quickly and nervously to the centre of the line, and impatiently throwing his silken toga over his left shoulder and pushing his crown from his brow backward, probably so as to have a clearer view of his victim, he hissed through his closed teeth to the native captives, saying, "Behold I am going to slay you, because I called you and you refused; I stretched out my hand imploringly to you, and you regarded me not; you set at nought all my counsel, and would none of my reproof. Now I will laugh at your calamity; ha, ha! will mock as your fear comes; when your fear comes as destruction and your destruction comes as a whirlwind; when distress and anguish comes upon you." Then turning to his soldiers he ordered them to separate those whom he named, and after ninety men, women and boys had been separated from the rest, cocking his pistols, he shouted out, "Now who shall I destroy first?" (No answer.) "What," said he sarcastically, "are there none of these princes and warriors of Ethlopia desirous of dying by the hand of Theedorus, have you all turned women when the hour of death is night?" "Hold," shouted Ras Ingerta, a Galla chief; "I and my fellows are in your power now; but, Kassai, why did you lie to me; why, oh why was I such an ass as to listen to your subtle words; why did to come and put my head in the lion's laws? Oh for one minute neck to neck with you, Kassai! I would show you how a Galla warrior meets his enemy. Give me a spear and a horse and meet me fairly and equally here only for two minutes; I would kill you and curse you. You dare not, prisoner as I am, with chains on my limbs. I would fight you if you dared to meet me."

"No," returned Theodorus, with increasing warmth in his countenance, "you tried to betray me to my

curse you. You dare not, prisoner as I am, with chains on my limbs. I would fight you if you dared to meet me."

"No," returned Theodorus, with increasing warmth in his countenance, "you tried to betray me to my enemies; spy and traitor, you shall be food for the jackal to-night. On the heads of all those who have compassed me about, the mischief of their own lips shall curse them. Let them be cast into the fire, into the deep pit, that they rise not up again," "Strip these follows," said he, "and let them behold each other's shame, and give me their exact number." Their rags were torn from them, and each man, woman and boy stood before him naked. The number of those whom he had ordered for execution was three hundred and eight—two hundred and seventy-five men, five women and twenty-eight boys.

He then said, "Spear the Galla dog! Ingerta, spear him, I say," and Ras Ourary Euric, ever ready to obey Theodorus, levelled a spear and flung it at his breast. "Thou hast done well," said the King, as he saw the weapon had gone deep into his bosom; but Ras Ingerta plucked it out of the wound and flung it contemptousity at Theodorus' feet. "Another one," shouts Theodorus, "spear him again," and six chiefs immediately sank their weapons into his body.

The wounded chief stood up bravely, and drew them all out one after another, the blood spurting from his wounds in crimson streams, when he fell down and died.

Impatient at the slow progress of the execution, the King shot ten dead with his own hand, and, throwing his revolver away, he drew his sword, and leaped towards the trembling prisoners. Eyeing them a moment, he seemed to choose one for whom he entertained a perfect hatred, for he said to one, "Ah, your hour has come. I am going to drink your blood," and, raising his sword, he cut his head off at one blow, and then drew it again across his blood and, like a tiger who had tasted blood, this

off at one blow, and then drew it again across his abdomen.

Theodorus' face and clothes were covered with blood and, like a tiger who had tasted blood, this seemed to increase his fury. He foamed at the lips and his eyes became bloodshot. After stabbing and cutting about fifty with his own hand he rested, and ordered that his chiefs should try their hands. Many of them had personal hatreds against the captives, and they proceeded with an astonishing alacrity with the awful task of massacre. Whenever he witnessed dexterous blows he applauded, but when he saw cuts given that but maimed the poor wretches the King would spring up and demonstrate what an easy matter it was to send head clean of the shoulders by choosing a strong, sturdy prisoner and decapitating him with his own hand.

A young and beautiful woman of high rank, per-

easy matter it was to send head clean of the shoulders by choosing a strong, sturdy prisoner and decapitating him with his own hand.

A young and beautiful woman of high rank, perceiving that her time was coming rapidly, ran up to where Theodorus leaned upon his dripping sword and, throwing herself at his feat, entreated in piteous tones that he would spare her life. "No !" thundered Theodorus, "you came to my camp twice as a spy. Once I spared you because one of my chiefs asked that you might be his wife. Now, by the Saviour of the world, you shall sleep below the cliff of Magdala to night." So saying, while she yet bent with her face to the ground, with his whole might he delivered a blow which almost severed her in two. Horrible as it may seem, a child gushed out of the womb, and several of the European women sickened and fainted at the sight.

A boy prince, son of one of the rebellious Governors who was shill at large, was next killed by a sweeping blow, which took his head and left arm off. In about an hour and a half from the commencement of the wholesale execution the massacre was completed, and as fast as each one had been slain the body was carried to the edge of the cliff and thrown down a height of fifty feet or more. At the bottom of the cliff were several great rocks scattered here and there, and these were covered with brains and blood. A ghastly heap of corrupting flesh was all that was left of 30s human souls, who but shortly before had been the friends in captivity of the Europeans. The human shambles coutained pools of blood and gore in several places nearly a foot deep.

Theodorus having mastered his passion as the work of death was ended, turned to the Europeans. The human shambles coutained pools of blood and gore in several places nearly a foot deep.

Theodorus having mastered his passion as the work of death was ended, turned to the Europeans and house here and there, and these work of death was ended, turned to the Europeans was the work of death massacred him, entreating him to say what

THE RETURN MARCH and will reach the seacoast on or about the 20th of

and will reach the seacoast on or about the 20th of May.

Two of the men wounded at Wagonia have since died, and another is not expected to recover. Three officers have also died of dysentery since leaving the Bichulo, and about eighty-five cases of sickness from the same disease are reported, besides about 100 cases suffering from different diseases.

Each evening after our arrival at the camp we were greeted by crowds of priests and warriors with songs of praise for having slain the negro Negashi, the Scourge of Ethiopia. These concourses of people, when about to tender such ovations, approach with slow steps to the tune of solemn music. Two priests dressed in scarlet robes, bearing a large crucifix of silver or brass, preceded the column, lifting their voices to their utmost stretch, bowing, courteseying and gesticulating together, which the people who follow imitate as much as possible. On arriving at the camp they form a semi-circle before the English General's tent, unabashed by the thousand of European eyes which are gazing upon them. This music, with its strange and varied tones, has a singular effect upon our nerves; while it does not chill nor produce disagreeable sensations it yet has the power, resounding as it does through the deep deflies or basin-like valleys with a thousand riuging echoes, to recall vividly to the mind scenes of past life, which are apt to be remembered with sadness and regret. While all the military spectators and listeners seem buried in abstract speculations or miserable recollections they are suddenly aroused into animation and vivacity by the exhibitariting sounds of the war song, which succeeds the doleful song of praise. Global is chased away from the county and the cheery tones of warriors preparing listening to the cheery tones of warriors preparing

for battle, priests exhorting to the strife, boys joining with their feeble voices in raising the challenge for battle, and offering their services as shield and spear besides, and women urging their lords to fight manfully for country and religion.

The interest raised by the animating notes of the war song and the fantastic antics of the natives is not suffered to diminish. Higher and higher rise the thrilling choruses, louder and louder beats the drum, faster and faster shuffes the dancer and flereer waxes the battle. Spears are thrown at some imaginary enemy, yataginans whistle through the air, sweeping hardest limbs, and a mighty chorus of triumphant cries at last announces the defeat of the enemy. Then follows the feast of victory, which is followed by the war dance. Each warrior recites his deeds to the chief in glowing words. Tremendous were his exertions for the good cause, strong was his arm and valiant his heart. No enemy stood before his destroying arms but was speedily made to lick the dust. The savageness of Abyssinan warfare, which has something approximating to the cruelty of the Indians, is then demonstrated. As, for instance, one doughty fellow came up armed with spear, shield, sword and a brace of pistols, stood up before one of the priests who represented the King's slave. The King is a warrtor. I also am a warrtor. Behold in me the King's strong soldier! I also have slain men." On this he raises his arms as if in the act of spearing some one, and exhibits the virile members of his slain, which are the trophies of victory. The King then praises him for his valorous deeds, and another one succeeds him, who relates, in like manner, the might deeds done by him. The night following such a victory is worthy to follow such a day, and is a night spent in the grossest debauchery.

The hand to see the deeds to the other scenes which I have just described generally last two hours.

night following such a victory is worthy to follow such a day, and is a night spent in the grossest debauchery.

The chants of this people and the other scenes which I have just described generally last two hours or more, when, as if flattered by their attentions, the English General bestows magnificent presents, in the shape of mules, horses or provisions.

Between here and Antaio several petity skirmishes have taken place between the Gallas and the English garrisons at the several stations along the route, light of the Third light cavalry have lost their lives in this manner, and for their treachery and ungratefulness Napler intends punishing the Gallas at Antaio and Amba Aleggre on his arrival there.

There are at present engaged in the transport service twenty-eight thousand five hundred miles, thirteen thousand camels, seven thousand bullocks and nine thousand horses, besides four locomotives as far as Koomagiee. It will be impossible to transport them all to india before the rainy season, and there is no reason to believe that the rains are to be dreaded so much as those croakers of evil (previous travellers) would impress on our minds.

NEW YORK CITY.

THE COURTS.

UNITED STATES CIRCUIT COURT-IN EQUITY. Decision in an Important Real Estate Case-

The Title of Valuable Property in Litiga-A very important real estate case, involving the title to the lease of certain premises in Broad street,

in New street and Exchange place, certain real estate on the corner of Broadway and Thirty-second street, and on the corner of Broadway and Thirtythird street, has been decided in this court. The following is the opinion of Judge Blatchford:-

BLATCHFORD, J .- My conclusions in this case are

1. This court has jurisdiction to award the relief sought by the plaintiffs.
2. The plaintiffs have joined the proper parties as defendants to the suit.
3. These four pieces of property—namely, 1. The lease of the Broad street property; 2. The Wall street property; 3. The New street and Exchange place property; 4. The Broadway and Thirty-second street propert—must all of them be decreed to have been copartnership property of the firm of Ezra R. Goodrich & Co., and as such to have been personal estate and not real estate.

propert—must an of them be decreed to have been copartnership property of the firm of Ezra R. Goodrich & Co., and as such to have been personal estate and not real estate.

4. The plaintiffs, by bringing this suit after exhausting their remedies by judgment and execution in their suits in the State court, have acquired a hen preference or priority to be first paid out of the proceeds of said four pieces of property, to the exclusion of the other creditors of Ezra R. Goodridge & Co. (McCalmont vs. Lawrence, 1 Mctcalf, C. C. R., 232, 236; In re Allen, 1 N. Y. Leg. Obs., 115, 117; Day vs. Washburn, 24 How., 352, 356; Adler vs. Fenton, 1d. 407, 41; Jones vs. Green, 1 Walacca, 330.)

5. This court having jurisdiction of the case by reason of the encumbrance or cloud or obstacle which obstructs the enforcement of the legal remedy of the plaintiffs, and because it appears that the remedy afforded them at law is ineflectual to reach the property in question, will apply the property to the satisfaction of the plaintiffs judgment directly by its own method of proceedings. (Jones vs. Green, 1 Wallace, 339; McCalmont vs. Lawrence, 1 Blatchford, C. C. R., 232.)

6. The fact that the judgment of the plaintiffs was reversed in a court of probate of the State of New York is no objection to the granting of the relief prayed for. (Wikinson vs. Tale, 6 McLean, 16; Bean vs. Smith, 2 Mason, 252, 208; Negroham vs. Lawson, 20 How., 488, 494.)

7. The widows of Ezra R. Goodridge and Franklin F. Randolph are not entitled to dower in any such property until the trust thus existing in favor of the plaintiffs as creditors of the copartnership in respect to such property in filly executed. (Dyer vs. Clark, 5 Mctcaff, 562; Howard vs. Priest, id. 582, Collumb, vs. Read, 24 N. Y., 505.)

8. The bill must be dismissed as to the Broadway and Thirty-third street property.

9. A decree will be entered in accordance with these views and leaving the rights of the holders of the mortgages on the property.

F. A Lean of Francia Goodridge and others.

the mortgages on the property.

E. W. Stoughton and C. A. Seward, for plaintiffs;
F. A. Lane, for Francis Goodridge and others; W. E.
Curtis, for W. L. Skidmore, executor, and others; H.
W. Robinson, for William Clark; B. W. Barney, for
the Merchants' Bank; J. E. Parsons, for Brady &

UNITED STATES DISTRICT COURT—SRIMINAL CALENDAR. Internal Revenue Cases-Sentences on Persons Convicted of Violating the Law. Before Judge Blatchford. At the sitting of the court Judge Blatchford or

dered that William Heltman and Peter Fallance should be put forward to receive sentence. Counse for the prisoners moved for a mitigation of punishment, and stated various grounds on which he applied for the merciful consideration of the court. Judge Blatchford listened patiently to the arguments of counsel, and then addressing William Heitman be briefly reviewed the charge of which they had been convicted, that of carrying on the business of distil-lers in a house or place where other business was iers in a house or place where other business was carried on, and without paying the special tax required by law. The penalty on conviction provided by the statute was a fine of \$1,000, or two years' imprisonment. It seemed to be too general an impression that persons had a right to commit frauds on the government and to violate the law with impunity—to do in those cases of violating the revenue law the same as they do in any ordinary business of life. The jury who tried the case had been called upon to say that the community should not labor under that impression. They have said so and the court would support the law by which a healthy state of public opinion would be maintained, and violations of the law shall not be committed with impunity. In consideration of all the circumstances urged in their behalf, and having regard to the recommendation of the jury in reference to Fallance, the sentence of the court would not be as rigorous as the law would admit. The court could not impose the penalty of fine and imprisonment—it should be one or the other. The fine could not be more nor less than \$1,000, and he (William Heltman) should pay a fine of \$1,000 and be committed to prison and held until that fine should be paid. In the case of Peter Fallance, his Honor said that in consideration of the recommendation of the jury he

Heltman) should pay a fine of \$1,000 and be committed to prison and held until that fine should be paid. In the case of Peter Fallance, his Honor said that in consideration of the recommendation of the jury he would suspend the sentence and discharge him, with the understanding that the sentence was not removed, but only suspended, and liable any time hereafter to be enforced. Hetman was then removed in custody and Fallance discharged.

The United States vs. Ferdinand Susberger and Five Others.—This case, which was commenced on Wednesday and adjourned to yesterday, was resumed. On the previous day, before the court rose, a question was raised by counsel for the defence on the testimony produced for the prosecution in reference to the charge of conspiracy alleged in the indictment and the evidence to sustain that charge. Counsel for the defendants impugned the construction of the indictment in that respect and the line of evidence produced to support it. Counsel for the government was heard in maintaining the indictment and the testimony; after which Judge Blatchford ordered the trial to proceed, and said he would look into the points and see if they were applicable to the case. The trial was then taken up, and Collector Blake and other witnesses were examined to prove the allegations of frand laid in the indictment. The distillery was in Eighth street and the rectifying establishment in Ninth street, and the charge against the defendants is that they removed and conspired to remove whiskey from the distillery without paying the tax. S. G. Courtney, B. K. Phelps and Joseph Bell for the government; ex-Judge Fullerton, D. C. Birdsall and A. J. Dittenhoeffer for the defendants.

The Railway Men Again at War-Injunction Against the Chicago and Northwestern Railway Company—The Company Enjoined from Issuing Capital Stock for the Payment of Dividends.

Before Judge Ingraham. Horcell et al. vs. The Chicago and Northwestern Railway Company et al.—An action was commenced in this court on the 16th of June against these defendants by service of a complaint covering forty-

The action is brought by plaintiffs on behalf of themselves and all others similarly situated, and after setting out the organization of the defendants and their subsequent absorption by consolidation of other rullway companies, allege that the whole

two pages of printed matter.

amount of stock that the consolidated companies were authorized to issue upon the 2d day of June, 1864, was such amount as they had agreed to issue, and was only such amount, after that time, as was necessary to be issued in exchange for the shares of preferred capital stock issued by the respective companies prior to their becoming merged in one, as provided in the act of consolidation; that after this consolidation the amount of preferred stock created and issued was \$5.621,417 9, all created and issued in 1864; that after the consolidation the amount of capital stock became fixed and determined, and was of two kinds, viz.:—First, preferred stock, which amounted to about the sum of \$9.000,000; second, common stock, which amounted the sum of \$9.000,000; second, common stock, which amounted 55,621,411 a, and the not exceed the sum of \$9,000,000; second, common stock, which amounted to about the sum of \$12,010,462 66. That at that time the company had a large indebtedness against it equal to or greater than the amount of its capital stock, and that afterwards, and prior to May 31, 1865, the indebtedness and slock had been increased to the following amounts:—The bonded or funded debt amounted to the sum of \$12,000,482 87; the floating or unfunded debt indebtedness against it equal to or greater than the amount of its capital stock, and that afterwards, and prior to May 31, 1865, the indebtedness and stock had been increased to the following amounts:—The bonded of funded debt amounted to the sum of \$12,004,848 57; the floating or unfunded debt amounted to the sum of \$12,004,819 70; and the common capital stock amounted to the sum of \$13,100,921 18. That between the 31st of May, 1865, and the 31st of May, 1866, the debt and stock were increased as follows:—The bonded or funded debt amounted to the sum of \$13,100,021 18. That between the 31st of May, 1865, and the 31st of May, 1866, the debt and stock were increased as follows:—The bonded or funded debt amounted to the sum of \$14,051,000; the precent capital stock amounted to the sum of \$13,019,055 79, and the common capital stock amounted to the sum of \$13,174,001 18. That of the said bonded indebtedness the sum of \$2,027,100 consisted of the said consolidated sinking fund bonds of the defendant; that between the latter date and May 31, 1867, the preferred capital stock was further increased to \$14,775,000 33, of which latter amount preferred stock amounting to \$982,000 was created and issued for the payment of a dividend of seven per cent upon the preferred stock before issued, which dividend was made from and paid in preferred stock histead of being paid in cash and from the yearly earnings; that this increase of \$882,000 for that purpose was beyond the power and authority of the company and illegal, but that it was issued and is now so mingled and distributed that it cannot be distinguished from bona \$Ade preferred stock of the company; that the company has increased its funded indebtedness since May, 1867, by about \$4,000,000, and that after paying its total indebtedness of operating expenses, rents, improvements, &c., the company; had not on the 18th of May, 1885, funds remaining from its earnings to declare and pay a dividend upon its common and preferred took, at par, at option, its common and preferred

perpetually enjoined, to a place beyond the jurisalction of this court, and for the purpose of carring out their determination.

The plaintiffs then pray that the defendants be enjoined from doing those acts; that all proceedings had by defendants with the view of completing this scheme be declared null and void, &c.

Upon this complaint Judge Ingraham on Wednesday last granted an order to show cause why the perpetual injunction should not be granted, and further ordering "that until cause shall have been so shown and until the order of the court thereupon the defendants in this action and each of them, and their attorneys, agents and officers, do absolutely refrain from creating or issuing any capital stock of the Chicago and Northwestern Railway Company for the purpose of making, apportioning or paying a dividend or dividends upon its present existing capital stock, and also from making or apportioning any dividend upon the present preferred capital stock of said company, payable in such preferred capital stock."

Alleged Proselytism—A Queer Case—Habeas

Alleged Proselytism-A Queer Case-Habeas

Corpus.

In the Matter of Mary Ann Smith on Habeas Corpus.—This case came before this court yesterday morning on the return of a writ of habeas corpus directed to the Lady Superior of the Convent of the Good Shepherd, and requiring her to produce the body of Mary Ann Smith, a minor, sixteen years of age, who, it was claimed by the petitioner, Mr. Jesse S. Gilbert, was involuntarily restrained of her liber

S. Gilbert, was involuntarily restrained of her liberty. The petition set out that there was no further cause for the detention of Miss Smith than the fact that her family were members of the Roman Catholic Church and that she had recently united herself with the Methodist Episcopal Church.

It appears that Mary Ann was a domestic in the family of Mr. Gilbert, who is a Methodist, and that while in his service she also joined that church.

The "return" of the respondent to the writ of habeas corpus denied that the girl was enjoined of her liberty through any religious opinions or inclinations she might entertain (the institution being, though under the direction of the Roman Catholic Church, non-sectarian), but says that she was placed under the charge of the asylum at the request of her under the enarge of the asylum at the request of her father, as a precaultionary measure against certain evidences of inclinations which, if unrestrained, would prove ruinous or prejudicial to her moral and individual welfare. The court denied the motion to discharge, and the petitioner elected to traverse the return. The case was accordingly adjourned until Wednesday next to enable the testimony on the traverse to be taken.

The Sloux City and Pacific Railroad Litigation-Motion to Continue Injunction.

Before Judge Cardozo.

Lambard vs. The Sloux City and Pacific Railroad Company et al .- This is the suit already reported in which plaintiff alleges that he with eight other persons formed the organization represented by the defendants, with coequal interests and a provision in the agreement by the terms of which if any of the members retired their interests were to be purchased for the joint and several interest of the remaining members. That during plaintiffs absence in Europe three members retired, and that on his return the remaining five refused to acknowledge his claim to more than one-inith of the original stock capital of \$2,000,000, although they had purchased the interest of the retiring members and doubled the stock to \$4,000,000.

He further alleges that \$1,290,000 in United States bonds have been received by defendants as a government subsidy to the road, and that all but \$317,000 worth has been disposed of and the proceeds deposited in various banks in this city; also that the defendants are about to issue bonds, which are yet unsigned, to the amount of \$1,600,000.

He sues for an accounting of his interests under the special agreement, and for an injunction to restrain the parties from parting with or negotiating the United States bonds or the proceeds of the bonds sold, and to enjoin the engravers from delivering the unsigned bonds of the company.

The motion to continue the injunction came before the court yesterday and was partially argued. It was then adjourned until to-day. members retired their interests were to be purchased

CITY INTELLIGENCE.

THE WEATHER YESTERDAY .- Hudnut's thermon ter, in the HERALD Building, has shown the following changes in temperature during the past twentyfour hours. At four P. M. the mercury rose to eighty-one degrees, that being the highest point marked during the day:-

FALLING THROUGH A HATCHWAY .- A PRINTER

RUN OVER .- A child named Jacob Erlich, aged three years, yesterday afternoon was run over by an lice wagon in First avenue and badly injured. FELL PROM A WINDOW.—Timothy Sullivan, aged four years, fell from the third story window of No. 71 Division street yesterday afternoon and fractured his thigh.

SUDDEN DEATH .- Coroner Schirmer was yesterday notified to hold an inquest at 453 West Thirty-ninth street on the body of Mrs. Mary McEvoy, who died suddenly from causes unknown. FELL IN A SEWER.—James Dougherty, a laborer at

work on the street, fell into a sewer at the corner of Laight and Hudson streets, yesterday evening, and was badly injured. FALLING IN OF A FLOOR .- About five o'clock yes-

terday afternoon the second floor of a cooper's shop at No. 612 Washington street gave way, and falling on a workman named Frederick Lughort broke three of his ribs. He was brought to Bellevue Hos-pital. INJURED BY A FALLING STONE .- James Golden, a

aborer employed in the tearing down of the church corner Fifteenth street and Broadway, had his skull fractured and his right arm broken in two places by a heavy stone falling on him. He was taken to the hospital. THE POLLARD IMPROGLIO .- The case of Mrs. Pol-

lard against A. R. Pollard, who is charged with as-

sault and battery, was set down for vesterday at Jefferson Market Owing to the nonappearance of some of the parties the hearing was indefinitely post-

INQUEST ON THE BODY OF ISAAC WARD,-Corone Schirmer held an inquest yesterday afternoon on the body of Isaac Ward, who fell overboard in the East river on Monday evening last. The jury brought in a yerdict of accidental drowning. The deceased was a sailmaker, and has left a wife residing in

THE CHINESE EMBASSY .- The members of the imperial legation of the Emperor of China now at Vashington are expected to return to this city and take up their quarters at the Westminster Hotel on Tuesday next. On the evening of that day a ban-quet will be given in honor of the distinguished diplomat's, at which the Governor of the State will preside.

FATAL SUNSTROKE.-Yesterday morning the first fatal case of death from sunstroke thus far reported was brought to the attention of Coroner Schirmer by the police authorities. A man about thirty years of age, whose name is unknown, was found prostrate on the pavement in Ninth avenue, between Twenty-second and Twenty-third streets, from the effects of the extreme heat. He was taken up and removed to the Mount Simal Hospital. Twenty-eighth street, where death ensued soon after admission.

SALE OF OIL PAINTINGS.—The auction rooms of Mr. Robert Somerville, No. 37 Nassau street, were largely thronged yesterday by purchasers of a collection of oil paintings, and the bidding was quite spirited, though the average prices were low. Most of the paintings are imported, principally the works of German and Flemish artists, though with a fair sprinkling of the products of our own artists. The "Market Scene," by J. N. Culverhouse, brought \$124; the "Palace and Bridge of the Emperor Catiguia, Rome," by E. C. Coates, \$61; the "Giorrio di Murcarto Lulno Laggo Maggoire," by Collingwood Smith, London, \$61; the "Devil's Bluif," Alleghany Mountains," by W. A. Ferrichs, \$41, and a "Scene in the White Mountains," by G. Hartwick, \$20. The prices realized varied from about these extreme figures. The sale will be continued to-day.

AT THE MORGUE.-Last evening there was taken to the Morgue from the Tenth Police precinct station he body of an unknown man, about twenty-seven years old, height five feet eight inches. It had on a years old, height five feet eight inches. It had on a dark coat and vest, black cloth pants, platd shirt and Congress gaiters. The body was too much mutlated to be identified. Also from the Mount Sinai Hospital the remains of an unknown man, five feet ten inches in height. The hair brown; on the body there were a brown sack coat and vest and gray trowsers, undershirt of gray, with an overgarment of coarse linen. With these were a black hat and slippers. The body was greatly decomposed—the features not recognizable. Also, from West near Varick street, the body of a man about five feet nine inches in height. Hair light brown—mustache sandy. Had on gray tweed pants, blue check shirt, blue fiannel undershirt and blue cotton apron. Is in the Morgue for identification.

NEW YORK CO-OPERATIVE BUILDING LOT ASSOCIA-TION.—There was a meeting of the members of this association last evening at Masonic Hall, in Eightysixth street, Mr. John W. Farmer, the President, was in the chair. The forepart of the evening was occupied in speeches. Mr. Robert Crow, the first speaker, gave a detailed account of the present condition of co-operative associations in Europe, principally in Rochdale, Manchester, Liverpool and London (England), and then spoke of co-operative associations in this country, and the more assured prospect of even better success here. Their own association now numbered some six hundred members, lacking four hundred of the proposed quota. They had purchased 177 lots in Williamsburg, had made the first payment, had money in bank and a certainty of paying the rest. Mr. Fortune, the next speaker, in the course of his remarks stated that the land on Manhattan Island was owned by about ten thousand men, and one-tenth of it by a thousand men. There was no show for poor men except to buy lots in the vicinity of the city. The speeches made a very favorable impression evidently, for at the close quite a number of new members were enrolled and subscriptions paid in. in the chair. The forepart of the evening was occu-

POLICE INTELLIGENCE.

THEFT OF WHITE LEAD .- Augustus Pangal, in the employ of the White Lead Manufacturing Company, of the Second precinct, on the charge of stealing two kegs of white lead from his employers and con two tegs of white lead from his employers and con-veying them away from the premises. The accused was seen to take the property by Edward McCarty, also employed in the manufactory. Pangal was taken before Justice Shandley and committed to the Tombs for trial. During the last few months the company have lost large quantities of goods and until now have been unable to learn where they went to. A PLATOON OF POLICE PREVENTING THE RESCUE

OF A PRISONER.-James Burns was yesterday brought before Judge Connolly, of the Pourth Po lice District Court, on a charge of breaking windows and assaulting John Brady. Sergeant Lynch, of the Twenty-first precinct, who made the arrest, had great difficulty in keeping the prisoner in his cusgreat difficulty in keeping the prisoner in his custody, and from the evidence, it appeared, resorted to the use of his locust to reduce the contumacious spirit of Burns. At this a man named Wm. Flood attempted to rescue the prisoner, upon which the sergeant rapped for assistance, when two policemen made their appearance and arrested Flood. By this time a large crowd had gathered and followed the officers and their prisoners. Flood called upon the crowd to rescue them, but threats of the three officers that they would shoot the first man who interfered prevented the crowd making any hostile demonstration. Finally, the crowd got so large that a platoon of policemen was called out to disperse, which they quickly succeeded in doing. At one time, from all accounts, there was imminent prospect of a serious disturbance. Flood excused himself to the magisquickly succeeded in doing. At one time, from all accounts, there was imminent prospect of a serious disturbance. Flood excused himself to the magistrate by saying that he only interfered to prevent the sergeant from clubbing Burns, which he said the officer was doing with unjustifiable cruelty. Burns coir borated this statement, and he certainly irsented the appearance of a man who had been badly beaten. He was fined \$10 and compelled to give bail to keep the peace. Flood was likewise required to give bail to answer the charge of interfering with an officer in the discharge of his duty. CAPTURE OF ALLEGED BURGLARS .- Four men who

gave their names as Joseph Acker, William Brown, George Anderson and John Watson were arrested yesterday afternoon by three of the Fourteenth precinct officers at No. 134 Elm street. The officers suspected them of being bad characters, and from the fact that a number of burglars' implements, most perfect in make and of the very best description, were found in their possession, it would seem that the suspicions of the officers were well grounded. Two women were also got in the house, and these were held for the present. When brought to the station house Captain Garland sent word to C. J. Oppenheimer, of 475 Broadway, whose place had been entered a short time since and property to the amount of \$6,000 was stoien therefrom. Mr. Oppenheimer waited on the captain and it is said identified Anderson and Watson as being those who were in his store the evening it was robbed. The prisoners were brought before Inspector Deiks at police headquarters, who held them until to-morrow morning, when he will make further disposition of them.

"Col." Bartinette in Trouble.—Daniel F. Bartinette, who has so often been before the Jefferson yesterday afternoon by three of the Fourteenth pre

nette, who has so often been before the Jefferson Market Police Court upon charges of fraud, was arrested vesterday by officer McGowan, of the Twentyninth precinct, on complaint of Mrs. Caroline Van ninth precinct, on complaint of Mrs. Caroline Vanderwater, recently keeper of a boarding house at
No. 47 West Sixteenth street, with whom Bartinette
and his family boarded in May last. Mrs. Vanderwater, in her airlidayit, charges that on the 4th of
May the accused smatched a watch of the value of
\$150 from her hand and put it into his pocket. Bartinette, who claims to have been colonel of the
Second New York Artillery, demanded an examination, which resulted in the case being sent to the
general Sessions for trial in default of \$500 bail.

PUBLIC EDUCATION.

Awarding the "Gerard" Medals at Grammar Among the many prominent citizens whose heads

are clear enough to understand and whose hearts are warm enough to appreciate the fact that the sysem of public education in this city is ably and honestly conducted, and is productive of lasting good to those who enjoy the privileges extended to them, Mr. James W. Gerard holds a leading place. Many who have grown to man's estate remember Mr. Gerard's benevolent face and cheerful smile, and the pithy and pleasant little homilies given by him at the pithy and pleasant little nomines given by him at many of the schools in years gone by; and they now find him firm as ever in his love for popular education in general, and the system used in this city in particular. He has instituted lately a novel, yet beautiful, award for the young ladies attending the

beautiful, award for the young ladies attending the schools, being a testimonial for superior excellencent of the head, but of the heart—a medal for "amiability of disposition," the recipient of which is chosen by the vote of her classmates.

Yesterday morning was the time appointed for the presentation of the medals to the chosen two of the junior department of female grammar school No. 47, on Tweifth street, near Broadway. At the designated hour the members of the department were assembled in the reception room, and on the principal's platform were Mr. Gerard, Commissioner Warren and a few other friends of the school and of the school system. Commissioner Warren alluded briefly to the occasion of the gathering, and Mr. Gerard made the presentation in a happy, hearty address, giving to the favored two—the "bright stars of the constellation present"—some good advice, coupled with tasteful commissioner Warren alluded briefly to the object the members of the constellation present.—some good advice, coupled with tasteful commissioner warrence of the constellation presentiments. ent"—some good advice, coupled with tasteful com-pliments. Misses Luthella Clapp and Adelaide Henry were the honored ones, and as they received the tokens from the benevolent and venerable donor they each presented him in return with a beautiful bouquet. The occasion was made a sort of gala day for the department, and was collivened by some ex-quisite music and select recitations.

THE LABOR MOVEMENT.

The Proposed Strike of Bricklayers—The Master Musons in Council—Their Opposition to the Eacht Hour Movement-Resolutions Not to Submit. It has already been announced in the Herald that

the journeymen bricklayers, at a mass meeting lately

eld, determined to demand from their employers the concession that eight hours should constitute a day's labor, allowing a deduction of ten per cent on their pay, agreeing to receive but four dollars and fifty cents instead of five dollars per day, which they now get. Proper notice of this esolution and of the fact that the journeymen bricklayers would insist upon this demand from and after next Monday, or leave work in case of they, in turn, called a meeting of all the builders and employers of bricklayers, which convened at the Mechanics' and Traders' Exchange Rooms, No. 51 Liberty street, at two o'clock yester-day afternoon. The meeting was quite large, and on being called to order, Mr. John T. Connover, the President of the Exchange, was nominated and elected chairman, and William H. Jackson was appointed secretary. Mr. Connover on taking the chair stated the object of the meeting to be to take into consideration the eight hour system for daily labor now insisted on by the bricklayers. Mr. many employers of bricklayers were present, and on an actual count it was ascertained seven representatives of the heaviest firms of master masons were in the room, the rest being plasterers, stoneoutters and what are called material men. Mr. James Webb then observed that the first question to decide was who had a right to vote at the meeting; he hoped master masons and employers of bricklayers only would participate. He himself had been a poor workingman and has been all along a friend of the workingman and has been all along a friend of the workingman and would go as far in concessions to them as reason would admit; but when they demand unreasonable things he for one would not accede. Ex-Senator Laimbeer asked that all the material men, iron men and others would withdraw. At this suggestion nearly half of those present withdrew, until the chairman, at the suggestion of many, asked master plasterers to remain, when several returned. The jaintor was then ordered to lock the door and keep watch outside, and not to admit any except those who had right to participate in the proceedings. The presence of the reporter of the HERALD also occasioned trouble, and some debate was had whether he should not be excluded; but the sensible remarks of Mr. Webb, who said that he wanted the citizens to know what they are doing, and he wished that every paper in the city was represented at the meeting, broke the opposition, and the question was allowed to drop, the mover withdrawing his proposition. The real business of the meeting, commenced now, afer this preliminary skirmishing was gone through with. The roil of members was called and several new names were added, making fifty-three firms of master masons in all. Mr. Tostoem then moved, as expressive of the sense of the meeting, that no master masons will pay any advance over the present rate of wages, which is five dollars per day; but if the men insist on eight hours only as a day's work the pay shall be the same in proportion—that is, fifty cents per hour or four dollars per day. He said that the Legislature had passed a law legalizing eight hours as a day's seven representatives of the heaviest firms of master masons were in the room, the rest

were then introduced:—

Whereas we, the master masons and bricklayers of the city of New York, consider it injudictous and ruinous to our trade and house building generally to increase the cost of the same by submitting to the eight hour system; and whereas the anticipated investments in building of heavy capitalists will be driven from the market and turned into other channels, and that the workmen in less than six months will feel the evil consequences of their present demand; and whereas we fully understand the proposed reduction of ten percent of the time constituting a day's work to be only temporary, and that the old rates of wages will be asked in less than a month from the present time; therefore, be it. Resolved, that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and that we will not submit to the demand of the bricklayers, and the will not submit to the demand of the bricklayers, and the will not submit to the demand of the bricklayers, and the will not submit to the demand of the bricklayers, and the will not submit to the demand of the bricklayers, and the will not submit to the demand of the bricklayers, and the will not submit to the demand of the bricklayers.

Resolved, That any member of this organization signing his name shall not allow any stonemason, bricklayer, front bricklayer, plasterer or foreman belonging to the different unions or societies, or otherwise, to work upon any of his buildings or works, or buildings where he is interested, less than ten hours a day, except Saturday; nor shall he ald, under any pretence whatever, the performance of any work upon his buildings by other parties, such as his foreman or the owner himself or others, or allow them the use of his materials, scaffolding or machinery under any consideration whatever.

The second resolution of the series introduced by Mr. Eldlitz was to the effect that each member should deposit before two o'clock to-day in the hands of a master mason to be designated from \$500 to \$3,000, the amount to be fixed by a committee in proportion to the building contracts of each, as a pledge for his faithfulness in adhering to the resolutions to be passed by a two-thirds majority of the association, and that the amount so deposited should be forfeited in case the conditions of such resolutions should not be strictly complied with. These propositions gave rise to a lengthy and animated debate, in which the honor and the faith of the word of the members were appeared to, and Mr. Joyce remarked that the deposit part of the resolution was mere claptrap and had no legality in it. Finally the first resolution introduced, with the many whereases affixed to it, was unanimously adopted; upon the passage of the second and third, in a body, the yeas and nays were called and they were both rejected by a vote of 14 to 27. This was certainly a wise decision, for it is called and they were both rejected by a vote of 14 to 27. This was certainly a wise decision, for it is probable that the courts, upon the application of a member reclaiming his money thus deposited, would

member reclaiming his money thus deposited, would deciare the combination as contrary to sound public policy and as in restraint of trade.

The closing proceedings left the whole matter in doubt, for several members declared themselves not bound by the resolution as passed, and finally a committee of five, with Mr. Tosteven at its head, was appointed to propose other resolutions for the action of an adjourned meeting, to be held at the same place at two o'clock P. M. next Monday, to which hour the meeting adjourned amid considerable confusion.

Labor Exchange.

The annexed semi-monthly report of the Castle Garden Labor Exchange, from June 1 to June 15thirteen working days—has been officially promul-gated by the Commissioners of Emigration:—

 Males, Females, Total,

 Applications for employment.
 949
 655
 1,094

 Orders for employes.
 1,074
 715
 1,789

 Persons employed.
 949
 655
 1,604

Among these were 28 families, comprising 76 persons. Average number of orders, 137 per day. Average number of applications and of engagements, 123 per day. Average rate of monthly wages paid to maies, \$17; to females, \$8 75.

The following is the classification of emigrant labor:—

Males.

Figures | Males. | Males. | Females. | Mechanics | 94 | Skilled labor | 25 | Agriculturists | 855 | Unskilled labor | 650 | Total...... 949 Total........... 655 The common school education of emigrants is as follows:—

THE ALLEGED PHYFIE MURDER.

Coroner Schirmer resumed the inquest on the body of Jacob Physie, who died from injuries received on Monday night by being struck on the head with an axe. Mr. Wesserman testified to having seen Physic ascend the stairs and enter his own room, and that in about half an hour afterwards he saw him coming down stairs, his face being covered with blood. The deceased stated to him that his wife had struck him with an axe on the head, and that he alleged he heard Mrs. Physic remark that she would get rid of her husband, so that she could marry Rheinhardt.

Dr. Gibson, of Believue Hospital, estified that he held a post mortem examination on the deceased, and found that the base of the skull had been injured to such an extent that it was sufficient to produce death.

duce death an earth of the duce death by wounds inflicted on him by his wife, and that they believe George Rheinhardt to be an accessory to the murder.

The Coroner then examined the prisoner according to the usual form, Mrs. Phylic denying that she had struck her husoand with an axe, but stated that she struck her husoand with an axe, but stated that she struck him with a rolling pin and only in self-de-

fence.

Rheinhardt denied having inflicted any violence whatever on the deceased. They were both fully committed to await the action of the Grand Jury.

William Sweney, while out sailing off Tompkinsville

drowned. He leaves a wife and three small children to mourn him. The body up to the time of writing had not been recovered.

JAMAICA-PARADE OF THE FIRE DEPARTMENT.-The Fire Department of Jamaica, L. L., turned out yesterday afternoon, under the command of the Chief Engineer, to receive Protective Engine Com-pany No. I, who brought home their new engine. They paraded through the city, and were in the evening entertained with a sumptions collation, at which were the leading officials of the city.